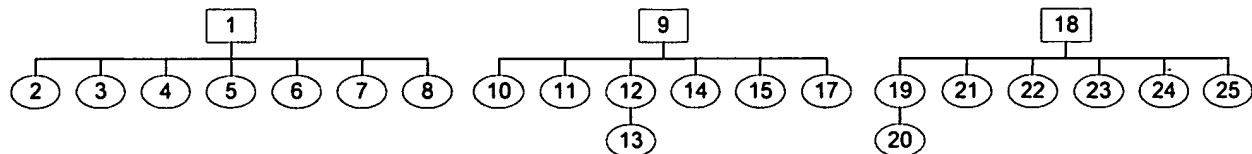


REMARKS

Claims 1-25 are pending in this application. Currently no claims stand allowed. The diagram below illustrates the relationships among the various pending claims. Claims 1, 9, and 18 are in independent form.



As a preliminary matter, applicants thank Examiner Kiss for having held a telephone interview with applicants' attorneys on July 3, 2003, at which several issues relating to the Office Action and applicants' proposed response were discussed.

Information Disclosure Statement

The Office Action objects to applicants' Information Disclosure Statement (IDS), filed April 18, 2000, as failing to comply with 37 C.F.R. § 1.98(a)(2). Submitted herewith are legible copies of each document listed in the Information Disclosure Statement with a copy of the Form 1449 submitted with the IDS, listing all of the references.

Drawings

The Office Action objects to the drawings for failing to comply with the requirements of 37 C.F.R. § 1.84(p)(5). Applicants' proposed amendment to the first paragraph on page 25 of the specification is intended to cure this deficiency by adding the reference number "234" to the sentence in which it is described. No new matter is added by this amendment.

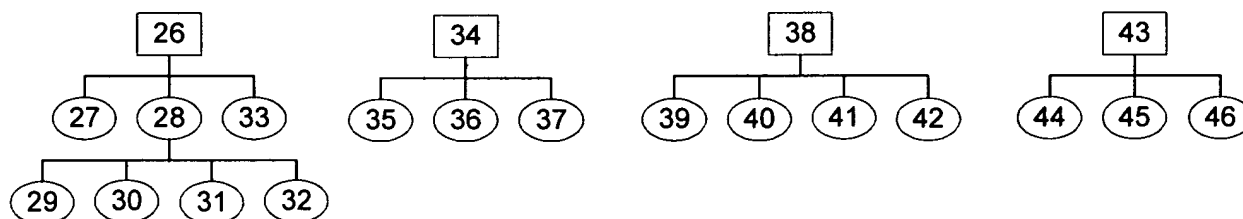
Claims

The Office Action rejects claims 1-25. Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by David Megginson, Structuring XML Documents (1998) (*Megginson*).

Claims 18 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Megginson*.

Claims 5-17, 19, 20, and 22-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Megginson* as applied to claims 1 and 18, and further in view of Elliott Rusty Harold, XML Bible (1999) (*Harold*).

Although applicants do not agree that pending claims 1-25 are anticipated by or obvious over the prior art of record, applicants have elected to cancel these claims in favor of new claims 26-46, of which claims 26, 34, 38, and 43 are in independent form, as illustrated in the following diagram:



New independent claims 26 and 38 are a system and a method, respectively, "*for collaboratively developing a computer application software product by at least two system users*". New independent claims 34 and 43 are a system and method, respectively, "*for customizing a user interface for an executable computer program by a user of the program*".

Claims 26 and 38 in particular follow the helpful suggestion of Examiner Kiss that applicants submit additional amendments to include software application development as a claimed element outside the claim preamble. The elements of claim 26 include "*routines used by a first system user for producing an executable program component of the computer application software product*" and "*routines used by a second system user for creating and modifying the user interface component,*" in addition to the at least one user interface resource file. The first step in the method of claim 38 includes a first system user "*writing source code for the computer*

application software product, and generating a first build." The subsequent steps include a second system user "*proposing changes to the user interface.*" If the proposed changes require programming and compiling by the first user, the second user communicates the changes to the first user; otherwise, the second user "*edit[s] at least one user interface resource file to incorporate the proposed changes.*"

Like the original claims 1-25, these new claims 26- 46 are not anticipated, disclosed or suggested by *Megginson* and *Harold*. These references provide instruction in using XML to describe conventional textual documents according to their functional structure. They do not suggest a system or method of **collaboratively** producing **executable** computer programs with user interfaces, and they do not suggest a system or method of **customizing** user interfaces of **executable** computer programs.

Claim 9 has additionally been provisionally rejected under the nonstatutory obviousness-type double patenting doctrine as being unpatentable over claim 34 of co-pending U.S. Patent Application Serial No. 09/452,421 in view of *Megginson*. Claims 1-8 and 19-21 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Since applicants have chosen to cancel these claims, these rejections are not addressed further in this response.

CONCLUSION

The application, including the amendment requested herein, is considered to be in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue.

In re Application of Andrew et al.
Application No. 09/506,125

If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: August 27, 2003

In re Application of Andrew et al.

Application No. 09/506,125



CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT A (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: August 27, 2003 Margaret J. DiGrazia